

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

Rev. DeROISE J. WASHINGTON,
D.D.,

Petitioner,

V.

ROBERT HOUSTON, Director,
State of Nebraska Department of
Correctional Services,

Respondent.

4:07CV3125

MEMORANDUM AND ORDER

The plaintiff has responded to the court's order directing that a new motion for leave to proceed in forma pauperis ("IFP") be filed. Upon review of the record, the new motion for leave to proceed ipf (filing 23) is granted, and the plaintiff is relieved of any liability for the unpaid balance of the filing fee. *See, e.g., McGann v. Comm'r, Social Security Admin.*, 96 F.3d 28, 30 (2d Cir. 1996) ("A released prisoner may litigate without further payment of fees upon satisfying the poverty affidavit requirement applicable to all non-prisoners.").

THEREFORE, IT IS ORDERED:

1. The plaintiff's motion to proceed in forma pauperis (filing 23) is granted; and
2. The plaintiff is relieved of any liability for the unpaid balance of the filing fee.

October 10, 2007

BY THE COURT:

s/Richard G. Kopf
United States District Judge